

Message Text

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ACTION OES-05

INFO OCT-01 EUR-12 ISO-00 NSF-02 FEA-01 ACDA-10 CIAE-00

INR-07 IO-10 L-02 NSAE-00 NSC-05 RSC-01 /056 W

----- 054865

R 031924Z JAN 75

FM AMEMBASSY PARIS

TO SECSTATE WASHDC 5579

UNCLAS SECTION 01 OF 02 PARIS 00209

PASS NSF RICHARD GREEN AND UZNANSKI; DEPARTMENT FOR OES

E.O. 11652: N/A

TAGS: SENV,TGEN

SUBJECT: MEMORANDUM OF UNDERSTANDING FOR NSF/CNRS
SOLAR BOILER COOPERATION

REF: A. PARIS 28411 B. NSF GREEN LETTER NOVEMBER
4, 1974 TO CNRS GREGORY C. NSF GREEN LETTER OF
DECEMBER 10, 1974 TO GREGORY

1. SUMMARY: ON DECEMBER 31, 1974 EMBASSY SCICON
AND CNRS INTERNATIONAL STAFF REVIEWED DETAILS OF
CNRS COUNTER MOU. CNRS AGREES WITH MANY PROVISIONS OF
THE DRAFT MOU CONTAINED REF B AND PROPOSES SPECIFICALLY
A) REFERENCE IN THE PREABLE BE MADE TO THE CNRS-G.I.T.
AGREEMENT OF JUNE 24, 1974; B) THAT A SCIENTIFIC COMMITTEE
OF SIX MEMBERS (3 NSF-3 CNRS) TO COORDINATE THE WORK
UNDER THIS MOU; C) THAT NO MENTION BE MADE OF THE NSF-
MARTIN MARIETTA GRANT. COPIES OF THE CNRS CHANGES IN
FRENCH ARE BEING FORWARDED TO NSF AND THE DEPARTMENT.
SECTION BY SECTION DISCUSSION OF CNRS PROPOSED
CHANGES TO NSF DRAFT FOLLOWS.

2. FOREWARD: CNRS DESIRES THAT AFTER THE WORD FRANCE
BE ADDED "AND FOLLOWING THE CONVENTION SIGNED ON JUNE
24, 1974 BETWEEN THE CNRS AND THE GEORGIA INSTITUTE OF
TECHNOLOGY (B.I.T.)".

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3. SECTION II.1: CNRS DESIRES "IT IS THE IMMEDIATE
AIM OF THIS COOPERATIVE EFFORT

- TO SHARE INFORMATION ON RESEARCH
REGARDING THE DESIGN AND PROTOTYPE CON-
STRUCTION OF (CAVITY) BOILERS,
- TO PROCEED WITH THE EFFORT UNDERTAKEN
IN THE CONTRACT SIGNED BY CNRS AND THE
G.I.T. DATED JUNE 24, 1974, REGARDING THE
DEVELOPMENT OF (CAVITY) BOILERS.
- TO TEST AND EVALUATE": REMAINDER SECTION
II.1 PER NSF DRAFT. CNRS PROPOSES THAT

PARAGRAPH II.3 BECOME PARAGRAPH II.2, THAT PARAGRAPH
II.4 BECOME PARAGRAPH II.3 AND THAT PARAGRAPH II.2
BECOME PARAGRAPH II.4. CNRS AGREES WITH PROPOSED
CHANGE FOR THIS SECTION CONTAINED REF C. CNRS ALSO
PREFERS PHRASE "CNRS FACILITIES". TO NSF PHRASE "CNRS
SOLAR ENERGY LABORATORY"; THIS CHANGE REFLECTED THROUGH-
OUT CNRS DRAFT.

4. A NEW A PARAGRAPH HAS BEEN PROPOSED BY CNRS FOR

SECTION III AS FOLLOWS: 1. A SCIENTIFIC COMMITTEE IS
SET UP WHICH WILL BE COMPOSED OF SIX MEMBERS APPOINTED
BY NSF AND CNRS ON AN EQUAL BASIS TO COORDINATE THE
PROGRAM REFERRED TO IN THE PRESENT MEMORANDUM." THE
PROPOSED CHANGE FOR THIS SECTION CONTAINED REF C IS
ACCEPTABLE.

5. CNRS PREFERS TEXT OF SECTION IV CONTAINED REF B.
SPECIFICALLY, CNRS QUESTIONS THE REFERENCE TO "LICENSE"
CONTAINED IN THE SUGGESTED REVISION OF SECTION IV. 1
CONTAINED REF C. CNRS UNDERSTANDS THAT "RELEASE OF THE
DATA...SHOULD BE COORDINATED..." DOES NOT MEAN THAT ONE
PARTY MAY STOP OR PREVENT THE RELEASE OF DATA TO OTHERS
BY THE OTHER PARTY.

6. CNRS PROPOSES TO CHANGE SECTION V. D TO READ "UNDER
THIS PARAGRAPH PARTIES ARE NOT COMMITTED FOR ALL INVEN-
TIONS MADE PRIOR TO JUNE 24, 1974 OR THOSE WHICH WOULD
BE MADE OUTSIDE THE COOPERATIONS RESULTING FROM THE
CNRS-G.I.T. CONVENTION OF JUNE 24, 1974 AND THE PRESENT
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AGREEMENT." CNRS PROPOSES INSERT NEW PARAGRAPH.
"E. THE SCIENTIFIC COMMITTEE SET UP IN PARAGRAPH III IS
RESPONSIBLE FOR COORDINATING AND EVENTUALLY SETTLING ALL
CASES AT ISSUE RESULTING FROM THE APPLICATION OF PARA-
GRAPH (A)." THUS, NSF DRAFT V (E) BECOMES V (F).

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ACTION OES-05

INFO OCT-01 EUR-12 ISO-00 NSF-02 L-02 FEA-01 ACDA-10

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7. CNRS ACCEPTS PROPOSED CHANGE TO SECTION VI CONTAINING
REF C.

8. CNRS PROPOSES THAT IN SECTION VII. 4 AFTER THE WORD
GOVERNMENT BE ADDED - WITH ITS RIGHTS AND RESPONSIBILITIES". CNRS STRONGLY PROPOSES THAT SECTION VII.6 BE
DROPPED ENTIRELY FROM THE MOU AS IT WAS NOT PARTY TO OR
PARTICIPANT IN THIS GRANT. SCICON SUGGESTED AND CNRS
AGREED THAT AN ADDITIONAL PROVISION IN SECTION VII
SHOULD BE MADE PROVIDING FOR TWO EQUALLY AUTHENTIC TEXTS
-- ONE ENGLISH AND ONE FRENCH.

9. CNRS APPEARS TO BE FIRMLY ATTACHED TO THEIR PROPOSAL
OF MAKING REFERENCE TO THE CNRS - G.I.T. JUNE 24' 1974
AGREEMENT AND MAKING NO MENTION TO THE NSF GRANT TO
MARTIN-MARIETTA. PERHAPS THE LEGAL CLARIFICATION
ALLUDED TO IN THE LAST PARAGRAPH OF REF C WILL SUPPORT
THIS THESIS OR MAY PROVIDE ADDITIONAL ARGUMENT FOR
CNRS TO CONSIDER IF NSF DESIRES TO PERSIST IN RETENTION
OF SECTION VII.6. THE SIX-MAN JOINT SCIENTIFIC
COMMITTEE IS PROPOSED TO CONSIST OF THOSE SCIENTIFIC
PEOPLE DIRECTING THE COOPERATIVE PROGRAM COVERED BY
THE MOU. THE COMMITTEE IS TO COORDINATE WORK AND IS
NOT TO DETRACT FROM THE RESPONSIBILITIES OF THE
SIGNATORIES OF THE MOU. WHILE THE CNRS DESIRES THAT
THIS COMMITTEE ATTEMPT TO SETTLE DISPUTES ON INVENTIONS
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(SEE SECTION V. A), IT DOES NOT PROPOSE THAT THE
COMMITTEE EXPAND ITS WORK BEYOND "TECHNICAL" ISSUES
INTO THE REALM OF POTENTIALLY "POLITICAL" ISSUES.

10. ACTION: THIS REVIEW WAS MADE TO FACILITATE EARLY
COMPLETION OF THIS MOU. EMBASSY WOULD WELCOME PRELIMIN-
ARY, INFORMAL NSF/DEPARTMENT REACTIONS TO CNRS PROPOSED
CHANGES, POSSIBLY IN TIME TO TAKE ADVANTAGE OF
UZNANSKI'S VISIT TO PARIS ON JANUARY 10.
RUSH

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